



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,408	10/01/2001	Francis Patrick Kleinitz	A70704DJBMAK	2608

7590

10/22/2003

Flehr Hohbach Test
Albritton & Herbert
Four Embarcadero Center Suite 3400
San Francisco, CA 94111

EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
----------	--------------

2642

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/869,408

Applicant(s)

KLEINITZ ET AL.

Examiner

Thjuan P Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The USPTO is participating in a search exchange pilot program with the IP Australia patent office. As part of the pilot program, the USPTO has received a copy of the Office action, ISR and/or IPER prepared by the IP AU. The references cited in the IP AU have been considered by the examiner and have been listed on the PTO-892 form. A copy of these references is not being furnished to applicant with this Office action. It will not be necessary for applicant to submit these references in an information disclosure statement.

Claim Objections

1. Claim 20 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

Priority

2. An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification of in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)). The specific reference to any prior nonprovisional application must include the relationship (i.e.,

continuation, divisional, or continuation-in-part) between the applications except when the reference is to a prior application of a CPA assigned the same application number.

Specification

3. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

4. As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

5. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-19 and 21-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Granberg et al (US 6,101,387).

7. In regards to claims 1, 11, 22, and 23, Granberg discloses a call processing method and network system, including: processing characteristics data associated with a communications call at a network switch (Mobile Switching Center 14) to determine if intelligent network (IN) service data is required to establish said call; passing said characteristic data to a network service data gateway (Gateway Mobile Switching Center 12) when said service data is required; processing at least part of said characteristic data by said gateway to determine a network location to access in order to obtain said service data, and a communication protocol (MSC/VRL 14) for connecting to said network location; and obtaining said service data and passing said service data to said switch to establish said call (col. 3 lines 39-50, col. 4-5 lines 66-21, col. 6 lines 29-47, col. 7-8 lines 51-4, and col. 8 lines 20-30).

8. In regards to claims 2, 12, 21, and 24, Granberg discloses a call processing method and network system, including storing said service data in said gateway for subsequent requests for said service data (col. 4, lines 54-65).

9. In regards to claims 3 and 13, Granberg discloses a call processing method and network system, including deleting said service data from said gateway after a predetermined period of time (col. 3, lines 3-12).

10. In regards to claims 4 and 14, Granberg discloses a call processing method and network system, wherein said network location is in a central IN service data database (service database 32) (col. 6-7, lines 65-15).

11. In regards to claims 5 and 15, Granberg discloses a call processing method and network system, wherein said network location is in a local mobile network (col. 4-5, lines 66-21 and col. 7, lines 16-36).

12. In regards to claims 6 and 16, Granberg discloses a call processing method and network system, wherein said network location is in a foreign telecommunications network (col. 1 lines 38-41 and col. 3, lines 18-21).

13. In regards to claims 7 and 17, Granberg discloses a call processing method and network system, wherein said gateway is local to a user originating said call (col. 4 lines 54-65).

14. In regards to claims 8 and 18, Granberg discloses a call processing method and network system, wherein said gateway includes visitor computer logic for obtaining and caching service data for users in the area of said gateway (col. 4-5 lines 66-21).

Art Unit: 2642

15. In regards to claims 9 and 19, Granberg discloses a call processing method and network system, wherein said network location is within home computer logic including a central IN service data database (col. 5 lines 22-34 and col. 6-7 lines 65-15).

16. In regards to claim 10, Granberg discloses a call processing method, wherein said communication call includes a voice, data, or messaging connection (col. 6 lines 4-17).

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Granberg (US 6,122,510) teaches a method and apparatus for providing network-specific mobile services. Liu (US 5,825,759) teaches distributing network services and resources in a mobile communications network.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.


19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

20. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Application/Control Number: 09/869,408
Art Unit: 2642

Page 7

Thjuan P. Knowlin
October 07, 2003


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700